

CHAPTER I

INTRODUCTION

A. Background

The al- Qur'ān as a source of inspiration, insight and a view of life that is universal takes motivation to human to think, study, and develop knowledge through ratio (reasonable mind) as far as possible. In the Islamic view, reasonable mind must be enabled to discover the very essence of human life as a servant of God, social creature, and the caliph in the earth. With a healthy mind, God encourages humans to think analytically and synthetically through a process of inductive and deductive thinking, so that human can distinguish between the right with the vanity, choosing alternative is right or wrong, good or bad, and also useful or not useful such an act¹. In the Qur'ān, there is a number of verses that contains instruction and guideline for human being in life of society and state. Among the verses teach about human's position on earth and about the principles that must be observed in the life of the society, such as the principles of deliberation, or consultation of obedience to the leader, justice, equation, and religious freedom².

One things that can not be escape from our live as Muslim is to elect a leader. The leader is a very important figure in a group wether narrow or broad, the existence and the orientation of the group largely determined by a leader, would later be brought toward goodness, well-being and prosperity or directed toward destruction. Therefore, it is the responsibility of each personal to selectively and carefully in electing the leader. Leader is in a decisive position toward the process of people. If a congregation has a leader with excellent leader, productive and proficient in the development and generation of fighting spirit and creativity '*amaliyah*, then certainly the process of people would reach the point of success. On the contrary, when a congregation led by people who have many shortcomings, both in terms of scientific, managerial, and in terms of understanding and the values of responsibility, as well as preferring their own

¹ M. Arifin, *Ilmu Pendidikan Islam* (Jakarta: Bumi Aksara, 1991) , p. 65.

²Munawir Shadzali, *Islam Dan Tata Negara*, (Jakarta:UI Press,1993), p. 4.

lust in decision-making and action, it can be ascertained, building congregation will suffer a setback, and even experience destruction.

The leader here especially is associated with leader in the public sphere, such as the Mayor, Governor or President. Whenever there is an election of the chief of area or the President in Indonesia, one of the discourse which often presented is about the leadership of non-Muslim in this country which is muslim majority. Whether or not about non-Muslim leadership in the midst of a population of Muslim majority, some defend the leadership of non-Muslim by reason of repeated, ie rejecting the verses that mention forbidden for Muslim to elect unbeliever as a leader³. In addition, another argument which most famous is Ibn Taimiyah's opinion "better led by unbeliever leader who is fair than led by muslim leader who is tyrant"⁴.

In history, whether or not non-Muslim become as leader for the Muslim truly is a classic phenomenon which always invites debate among scholars and enthusiasts of Islamic political studies from time to time. On the one hand, some scholars consider that non-Muslim should not be become the leader for the Muslim because some verses in the Qur'an clearly State the case. On the other hand, there also some scholars argue that the essence of the debate is not on whether the leader should be a Muslim or not, but the most important is a leader capable to lead the society to obtain welfare and fairness that in fact is the commandment of Qur'an and Hadith of the Prophet⁵.

The difference of interpretation of the scholars about *dalil* which seem contradictory or the difference of their view in assessing remains valid whether or not *dalil* that forbids Muslims to elect non-Muslim leader in this contemporary time, of course spawned a diverse opinion. Diversity of interpretation between scholars who forbid and allow non-Muslim be a leader in a country where Muslim majority, both in concept and its application in countries of Muslim majority still ongoing until this moment. In general, the scholars's difference of opinion about non-Muslim leader can be mapped into two groups. The first, they who reject the non-Muslim leader. The second, they who support the non-

³ Surwandono, *Pemikiran Politik Islam* (Yogyakarta: LPPI UMY, 2001), p. 32.

⁴ Munawir Shadzali, *Islam Dan Tata Negara*. (Jakarta: UI Press, 1993), p. 90.

⁵ Abu Tholib Kholik, "Pemimpin Non Muslim Dalam Perspektif Ibnu Taimiyah", *Dalam Jurnal Studi Keislaman*, Volume 14, No 1, (Juni 2014), p. 60.

Muslim leader. The scholars are included in the first group: Among them ; al-Jaṣaṣ, al-Alusi, Ibn ‘Arabi, Kiya al-Ḥarasi, Ibn Kathir, as-Sabuni, az-Zamakshari, Ali as-Shayis, Ṭaba’ṭaba’i, al-Qurtubi, Wahbah az-Zuhaili, as-Shaukani, at-Ṭabari, Sayyid Qutb, al-Mawardi⁶. Then they who included in the second group are ; Mahmud Muhammad Ṭaha, Abdullah Ahmad an-Na‘im, Ṭariq al-Bishri, Asghar Ali Engineer, Muhammad Sa‘id al-Asmawi, Rashid al- Ghanusi, Ṭariq Ramadan, and Yusuf al- Qarzawi⁷

Group that rejects non-muslim leader, bases their opinion on verse 28 sūrah Ali ‘Imrān as follows:

لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ مِنَ اللَّهِ فِي شَيْءٍ إِلَّا أَنْ تَتَّقُوا مِنْهُمْ تُقَنَّةً وَيُحَذِّرُكُمُ اللَّهُ نَفْسَهُ ۗ وَإِلَى اللَّهِ الْمَصِيرُ⁸

"Let not the believers take for friends or helpers unbelievers rather than believers:if any do that, in nothing will there be help from Allah : except by way of precaution, that you may guard yourselves from them. But Allah cautions you (to remember) himself: for the final goal is to Allah"⁹.

Group that reject non-Muslim leader to understand the verse above contains general provision that a *Mu'min* should not take unbeliever as a leader, ally to fight the enemy, give it a mandate, or become him as trust friend. Hasbi ash-Shiddieqy is one of the scholars who forbids and allows a Muslim makes relationship with unbelievers or elects non-Muslims as a leader ie by requirement ; for emergency or dreading *maḍarāt*, or because they expect their useful benefit for Muslims. In addition, from the verse can also be obtained by the understanding that there is no obstacle to the Islamic government to establish a treaty of friendship and cooperation with governments which is not Islam to something expediency. But if a friendship treaty that it will bring *maḍarāt* for religion, we are forbidden to do so. Friendship (*muwalah*) with unbelievers should do, well we are in a weak or in strong condition. The Prophet

⁶ H.M. Syarif Ibnu Mugar , "Memilih Presiden Non-Muslim Di Negara Muslim Dalam Perspektif Hukum Islam", *Dalam Jurnal Konstitusi*, Vol. 1, No. 1 (November, 2008), p. 92.

⁷ Marry Silvita, Presiden Non Muslim Dalam Komunitas Masyarakat Muslim, *Islamica*, vol 7, no 1, (september 2012), p. 47.

⁸QS. Ali ‘Imrān: 28

⁹Abdullah Yusuf Ali, *The Holy Qur’ān*, (Kuala lumpur: Islamic Book Trust, 2005), p. 58.

Muhammad himself had entered into friendship treaty (*muḥalafah*) with Banī Khuza'ah who is idolatrous¹⁰

According to Hasbi, enforcing state and government are obligatory. However, how to organize the state is a matter of worldly, problem of *siyāsah*. This problem can vary depending on the dimension of space and time. People as the holder of sovereignty who determine what is desired for their country. What should be the guidelines and held in building the country and upholding the rule is based on the Islamic *Sharī'ah*. The goal of *Sharī'ah* is for providing welfare for mankind. To achieve that goal, enforcing state and government is an obligation that should not be overlooked. State and government are burdened with the task of maintaining law (*sharī'ah*) and protecting the welfare of the people, both in the political, social and economic. If the society is left without control will result *maḍarāt* that will end with the annihilation of society. Rejecting *maḍarāt* is one thing that is required according to the Islamic *Sharī'ah*¹¹. Remembering the rule:

إن درءالمفاسد مقدم على جلب المصالح

“Rejecting the damage takes precedence over coming the benefit”¹²

From the above phenomenon, researcher is interested to do a deeper study toward the interpretation which conducted by *mufassir* toward verses about prohibition in electing non-muslim leader especially in Tafsīr *an-Nūr* by Hasbi ash-Shiddieqy, because he is a *mufassir* who expert in fiqh or Islamic law. Known as the originator of Indonesian fiqh figure, in interpreting verses in electing non-Muslim leader, Hasbi choose different with *mufassir* who use type of fiqh.

There are several other reasons why the writer study this Hasbi's interpretation: *The first*, he is a self-taught. He took education from dayah to dayah, and only one and a half years in school *Al Irshād* (1926). With a base of

¹⁰ Muhammad Hasbi Ash- Shiddieqy, *Tafsīr Al-Qur'ānul Majīd An-Nūr*, (Jakarta: Cakrawala,2011), P. 356.

¹¹ Nuruzzaman Shiddieqy, *Fiqh Indonesia Penggagas Dan Gagasanannya*,(Yogyakarta: pustaka pelajar, 1997), p. 167.

¹² Muhammad Hasbi Ash- Shiddieqy, *Tafsīr Al-Qur'ānul Majīd An-Nūr*, (Jakarta: Cakrawala,2011), p. 356.

formal education, he showed himself as a thinker. His ability as an intellectual is recognized by the international community. He was invited and presented a paper in the International Islamic Colloquium where held in Lahore Pakistan (1958). Moreover, in contrast with other figures in Indonesia, he has a sound renewal before the pilgrimage or studying in the Middle East. *The second*, he began to move in Aceh, in community that is known fanatical, even thought there is "haunted". However, at the beginning Hasbi was brave to struggle against the current. He did not flinch and down of his struggle despite so he despised, imprisoned and exiled by the party who did not agree with him. *The third*, in the opinion he felt free not bound by the opinion of the group. He engaged in a polemic with the *Muhammadiyah* and Persis, and he is also a member of both the organization. He even dared to disagree with the some scholars, something that is rare in Indonesia¹³.

On that basis, this paper presents *mufassir's* interpretation especially Muhammad Hasbi Ash- Shiddieqy's in order to reveal and highlight the polemic of election of leader from non-Muslim community. It is important to do in order to provide impartial understanding to the audience (*ummah*) to hush controversy up surrounding whether or not a non-Muslim becomes leader for Muslim in the perspective of the Qur'an.

A. Research Question

Based on the background of the problem above , then there is a main problem that require more in-depth discussion . As for the subject matter that will be discussed in this thesis , namely :

1. What is the Muhammad Hasbi Ash- Shiddieqy's interpretation toward verses prohibition in electing a non muslim leader in Tafsīr *al- Qur'ānul Majīd an-Nūr*?
2. What is the relevance of Hasbi Ash- Shiddieqy's interpretation toward verses prohibition in electing a non muslim leader in the context of indonesia today?

¹³ *Ibid.*, p. XX.

B. Aim and Significance of Research

The aims of this study are :

- a. Knowing Hasbi Ash- Shiddieqy's interpretation toward verses prohibition in electing a non muslim leader in Tafsīr *al- Qur'ānul Majīd an-Nūr*
- b. Knowing the relevance Hasbi Ash- Shiddieqy's interpretation toward verses prohibition in electing a non muslim leader in the context of indonesia today

The significances of this research are :

- a. The results of this study are expected to have academic significance that can add treasure of knowledge in the study of Islamic thought and tafsir al-Qur'an, especially in Ushuluddin Faculty
- b. This study is expected to add insight for the development of science, especially related to the understanding about the interpretation of non muslim leader according to Hasbi Ash- Shiddieqy
- c. This study is also expected to be able to provide input to other studies that have not been included in this study

C. Prior Research

To obtain data that is relevant and provide a more comprehensive understanding, the researcher review the literature. As for the scientific works which supports this research study are:

The book written by Syarif Ibn Mujar, "*Presiden Non Muslim di Negara Muslim: Tinjauan dari Perspektif Politik Islam dan Relefansinya dalam Konteks Indonesia*" In his writing he tells about the controversy surrounding the president non-Muslim in the country which is Muslim majority, said groups who are pros and cons toward the non-Muslim leader. In the end he tried to talk the context and relevance of non-Muslim leader in Indonesia. After a wide discussion in the end he made a question "can the president of non-Muslim happen in Indonesia?"¹⁴.

¹⁴Syarif Ibn Mujar, *Presiden Non Muslim di Negara Muslim: Tinjauan dari Perspektif Politik Islam dan Relefansinya dalam Konteks Indonesia*, (Jakarta; Pustaka Sinar Harapan, 2006), P. 89.

Thesis from Maulana Sujatmiko, “*Penafsiran Muhammad Syahrur terhadap ayat-ayat Kepemimpinan dalam Al-Qur’ān*” This thesis describes how Muhammad Syahrur’s interpretation toward the verses about leadership in the Qur’ān. The focus of the discussion is contained in the problem of man and woman leader then the writer would like to find out how Muhammad Syahrur’s uses method in interpreting these verses¹⁵.

Thesis which written by Irma Muania, ” *Studi Terhadap Pemikiran Yusuf al-Qardhawi Tentang Sistem Pemilihan Pemimpin dan Relevansinya Terhadap Sistem Pemilihan Presiden di Indonesia*”, In this study, the writer attempt to trace how the electoral system of leader offered by Yusuf al- Qardhawi then the system is made Contextual with Indonesia , The writer find the relevance of system that offered by Yusuf al-Qardhawi by system in Indonesia at this time because both gives priority to the principle of deliberation contained in the concept of democracy¹⁶.

Aminati’s thesis, IAIN Walisongo Semarang 2013, under the title “*Pengangkatan pemimpin dari non muslim (studi Muqāran Kitāb Tafṣīr Al-Manār Dengan Kitāb Tafṣīr Fī Dzilālil Qur’ān)*” *Ad-Dirrāsah Al-Muqāranah Baina At-Tafṣīr Al-Manār, Wa Fīdzilālil Qur’ān Fī Ayāti An-Nahyī Anittakhidil Auliyā’ Min Dūnil Mu’minīna*”. In this thesis the writer describes the relationship of the Muslim-non Muslim from the side of appointment of non-muslim leader both from the aspect of social, educational and political, with the verses of the guardian¹⁷.

Thesis which is written by Wahyu Firmansyah, UIN Kalijaga 2008, under the title “*Pemimpin Non Muslim di Indonesia Menurut Pandangan Anak UIN Sunan Kalijaga*”, this research field that studies the shape using the technique of observation and interview, and student UIN Sunan Kalijaga is as object in the

¹⁵ Maulana Sujatmiko, *Penafsiran Muḥammad Syahrur Terhadap Ayat-Ayat Kepemimpinan Dalam Al-Qur’ān* (Yogyakarta: Skripsi Fakultas Ushuluddin Dan Pemikiran Islam, 2005), p. 105.

¹⁶ Irma Muania, *Studi Terhadap Pemikiran Yusuf al-Qardhawi Tentang Sistem Pemilihan Pemimpin dan Relevansinya Terhadap Sistem Pemilihan Presiden di Indonesia* (Yogyakarta: Fakultas Syari’ah, 2005), p. 121.

¹⁷ Aminati, (*Pengangkatan Pemimpin dari non Muslim (studi Muqāran Kitāb Tafṣīr Al-Manār Dengan Kitāb Tafṣīr Fī Dzilālil Qur’ān)*, (Semarang: IAIN Walisongo, 2013), p. 107.

research. The writer discusses the concept of leadership in Islam and the concept of leadership in Indonesia. Then proceed with collecting data from the result of the interview that have been done to the student UIN Sunan Kalijaga that include response and view object which is researched. Eventually the researcher analyzes the data from the result of survey.¹⁸

Thesis which is written by Wahyu Naldi, UIN kalijaga 2015, under the title “*Penafsiran Terhadap Ayat-Ayat Larangan Memilih Pemimpin Non muslim Dalam Al-Qur’ān (Studi Komparasi antara M. Quraish Shihab dan Sayyid Qutb)*” in this thesis, the writer describes the interpretation of Sayyid and Quraish about verses of prohibition of electing Non-muslim Leader, Sayyid unequivocally prohibits the Muslim to elect Non-Muslim leader while Quraish provide opportunity for Non-Muslim to be a leader for the Muslim with particular requirements¹⁹.

From the library search is performed, as far as the writer knows, research done is discuss the non-muslim leader but from a different perspective. No one has researched about electing a non-Muslim leader according to Hasbi Ash-Shiddieqy’s.

D. Research Method

A science is actually a systematic interrelation from several facts. The scientific method is one means to achieve or pursue the idea of the science.²⁰ By this method, the pursuing can be done rationally, and focused in order to achieve optimal result.²¹

The method used in this paper is :

1. The Types of Research

This research uses a qualitative method with analysis descriptive, while the style and nature is Library Research. Research that the data source is obtained through research and study of books, magazines, articles, journals, online media

¹⁸Wahyu Firmansyah, *Pemimpin Non Muslim di Indonesia Menurut Pandangan Anak UIN Sunan Kalijaga*, (Yogyakarta: UIN Kalijaga, 2008), p. 139.

¹⁹ Wahyu Naldi, *Penafsiran Terhadap Ayat-Ayat Larangan Memilih Pemimpin Non muslim Dalam Al-Qur’ān (Studi Komparasi antara M. Quraish Shihab dan Sayyid Qutb)*, (Yogyakarta: UIN Kalijaga, 2015), p. 146.

²⁰ Moh . Nazir, *Metode penelitian*, (Jakarta: Ghalia Indonesia, 1988), p. 4.

²¹ Anton Baker, *Metode Riset*, (Yogyakarta: Kanisius, 1992), p. 10.

and the other which related to the issue that will be discussed in this study.²² To realize a work that can be justified scientifically.

2. Sources of data

The data used in this thesis is determined by two sources, namely primary data source and secondary data source. The first, primary data source in this thesis is Tafsīr *Al-Qur'ān al Majīd an-Nūr* by Hasbi Ash-Shiddieqy's. The second, secondary data sources are books, journals, theses or other scientific medias which contain supporting information and relating to the object of study discussed.

3. Method of Collecting Data

Collecting data in this study use documentation method²³. Namely the retrieval of data from written source (primary and secondary source). Documentation starts by collecting information about Hasbi Ash-Shiddieqy's and his book of Tafsīr *Al-Qur'ān al Majīd an-Nūr*. and verses about prohibition in electing non-Muslim, that is: there are 10 verses in 6 sūrah in the Qur'ān which is often used as *dalīl* in order to deny non-Muslim leader, among others:

1. Sūrah Ali- Imrān: verse 28 and 118.
2. Sūrah An-Nisā', verse 89, 139 and 144
3. Sūrah Al-Mā'idah verse 51 and 57
4. Sūrah At-Taubah: verses 23
5. Sūrah Al-Mujādilah: verse 22
6. Sūrah Al-Mumtahanah verse: 1²⁴.

4. Method of Analyzing Data

This research uses content analysis method. In this analysis the writer uses the interpretation approach²⁵. This means that the writer explores Hasbi Ash-

²² Sutrisno Hadi, *Metodologi Research jilid I* (Yogyakarta : Andi Offset, 1995), p. 9.

²³ Suharsimi Arikunto, *Prosedur Penelitian, (Suatu Pendekatan Praktek)*, (jakarta: Rineka Cipta, 1993), p. 202.

²⁴ Majlis Tarjīh dan Pengembangan Pemikiran Islam PP Muhammadiyah, Tafsīr Tematik Al-Qur'ān , Tentang Hubungan Sosial Antarumat Beragama, (Yogyakarta: Pustaka SM, 2000), P. 80-84.

Shiddieqy's thought, about the verses of electing a non moslems leader. As for the steps of the research that will be done are as follows;

The first: compiling the notes that contain the concept of Hasbi Ash-Shiddieqy's related electing a non-Muslim leader. As a comparison the writer also explain the concept of interpretation of electing non-Muslim leader from former scholar for comparison purpose and with minimal capacity so as to avoid from repeating the basic studies of tafsīr.

The second: gathering certain verses related with non-muslim leader, which is about verses of prohibition in taking non-muslim leader, then by this writer will gather from some verses of al-Qur'an related to the prohibition in electing a non-muslim leader. Then presented interpretation of Hasbi Ash-Shiddieqy's toward verses about the prohibition in electing a non-muslim leader. In this matter, attempted to compare from one to another verse related a non-Muslim leader. And further as a whole verse that later can conclude interpretation of Hasbi Ash-Shiddieqy's toward verses related to the prohibition in electing a non-Muslims leader.

The third: conducting a deeper analysis toward Hasbi Ash-Shiddieqy's interpretation about these verses, by comparing with the opinion of scholars about interpretation of verses in electing a non-Muslim leader. This can be taken as a means to find out is actually a continuity between Hasbi interpretation with his predecessors, because by seeing the background of this interpreter's believe is already different from the other *mufassir* most likely in interpreting verse by verse is also different.

E. Structure of Writing

The systematics of writing in this study are:

The first : Chapter is containing an introduction, which provides background and explanation related to why the researcher electing a non-Muslim leader worth perusal. Further describing the subject matter in this study, and explaining the purpose and benefit of research. Then outlines the literature review, and the methodology used in this study, as well as systematic discussion.

²⁵ Anton Bakker dan Ahmad Charis Zubair, *Metodologi Penelitian Filsafat*, (Yogyakarta: Kansius, 1990), p. 63.

The second : In this chapter explains the election a non-Muslim leader according to Islam, the writer divides the problem into four first things, about the meaning of leader in etymology and terminology. Both of characteristics of the leader includes, criteria of the leader according to muslim scholar, ie according to Al- Mawardi, Ibn Taimiyyah, Ibn Khaldun and criteria of the leader in Indonesia. The third, the views of scholars about electing a non-Muslim leader, that is according to scholars who allow and forbid.

The third : in this chapter contains about Biography of Hasbi Ash-Shiddieqy's and interpretation of *An-Nūr*. The first, about the life history and education of Hasbi Ash-Shiddieqy's, Hasbi Ash-Shiddieqy's works and commentary on the book of *An-Nūr* both the writing of the history and characteristic, method and style of Hasbi Ash-Shiddieqy's interpretation. The second, Hasbi's interpretation on verses of prohibition in electing non-Muslims leader.

The fourth. This chapter contains an Analysis of Hasbi Ash-Shiddieqy's interpretation on verses prohibition in electing non muslim leader, and what relevance of Hasbi's interpretation on verses prohibition in electing non muslim leader in the context of indonesia today.

The fifth. This Chapter is closing that will outline the conclusions of this research and suggestions so that this research can develop. Then, closed with a bibliography and appendices that are considered important to include²⁶.

²⁶ Tim Revisi Buku Pedoman Skripsi, *Pedoman Penulisan Skripsi Fakultas Ushuluddin IAIN Walisongo Semarang*, (semarang: Fakultas Ushuluddin, 2007)